

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rio Brazos

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Lilly Bateman CHRB-003-0014

Debra Patricia Martinez CHRB-003-0016

Larry Martinez CHRB-004-0011

Jose B. Cordova CHRB-004-0029

Pedro Romero CHRB-005-0019

Dolores L. Maez CHRB-006-0032

Emery Maez CHRB-006-0032

Jose Lucas Martinez CHRB-006-0041

Nicolas Martinez Estate CHRB-007-0021

Letitia Rhodes CHRB-007-0034

Diolinda Varoz CHRB-007-0047

Elaine L. Mayer CHRB-009-0002

Fredrick L. Mayer CHRB-009-0002

Ernesto R. Ulibarri CHRB-009-0008

and as grounds therefore plaintiff states:

1. The Court has jurisdiction over the above-named defendants as shown by waivers of service of summons by Lilly Bateman (Doc. No. 6603), Debra Patricia Martinez (Doc. No. 6603), Larry Martinez (Doc. No. 7463), Jose B. Cordova (Doc. No. 6710), Pedro Romero (Doc. No. 6603), Dolores L. Maez (Doc. No. 6603), Emery Maez (Doc. No. 6603) Jose Lucas Martinez (Doc. No. 6603), Nicolas Martinez Estate (Doc. No. 6603), Letitia Rhodes (Doc. No. 6710), Diolinda Varoz (Doc. No. 6710), Elaine L. Mayer (Doc. No. 7115), Fredrick L. Mayer (Doc. No. 7115), and Ernesto R. Ulibarri (Doc. No. 7326).

2. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed January 18, 2005 (Doc. No. 7713).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the December 18, 2001 Rio Chama Hydrographic Survey for Section 7, Rio Brazos.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion for Default Judgment were mailed to following persons on May 27, 2005.

/s/ Ed Newville
 Edward G. Newville

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